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:T OF DOUGLAS COUNTY, NEBRASKA

JAZMYNE MCMILLER,	)	CI15-5443
	)	
Plaintiff,	)	
v.	)	**COMPLAINT**
CITY OF OMAHA, and FRED J. HIYKEL.	)	(Law)
	)	(42 USC 1983 et seq)
Defendants.	)	

ASSIGNED TO Stratman

I.

Defendant City of Omaha is a Nebraska city of the metropolitan class. Defendant Fred J. Hiykel is an individual residing in Douglas County, Nebraska. All events in suit occurred in Douglas County, Nebraska.

II.

In the early morning hours of November 30th, 2014, Plaintiff, friends and family were returning to their rooms through the lobby of the dowtown Hilton Garden Inn at 1005 Dodge Street in Omaha. There had been a disturbance there (in which they were not involved) and police were on the scene.

III.

In accord with her previous plans, and also in accord with an officer's directions, Plaintiff had gotten into the lobby elevator to go up to her room. Nonetheless, and without justification, officer Fred J. Hiykel of the Omaha Police Department reached into the elevator, retrieved her from it, brutally dragged her through the lobby, body slammed her over a counter, then forced her to the ground.

IV.

The actions of Officer Hiykel were excessive, unjustified and out of proportion to any legitimate needs under the circumstances. Other officers watched but did not intervene.

V.

As a proximate result of the excessive force, Ms. McMiller suffered soft tissue injuries, severe pain, humiliation and anguish. Her damages in each respect are continuing.

#21 FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
JUN 19 2015
JOHN M. FRIEND
CLERK DISTRICT COURT

EXHIBIT
1

WHEREFORE, Plaintiff prays for judgment against the defendants in the amount of her general and special damages as proven at trial, enhanced damages and attorney's fees as provided by law, and the taxable costs of this action.

Plaintiff, by

MARTIN A. CANNON, #18769
Cannon Law Offices
24000 210th Street
Crescent, Iowa 51526
(402) 455-6000 / 4033 fax
mcannonlaw@gmail.com